

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1213

Introduced by Assembly Member Wyland

February 22, 2005

An act to ~~amend Section 60900 of~~ *add Section 44239.5 to the Education Code, relating to* ~~pupil testing~~ *teacher credentialing*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1213, as amended, Wyland. ~~California longitudinal pupil achievement data system; funding~~ *Teacher identifier mechanism.*

Existing law establishes the Commission on Teacher Credentialing, which is required, among other things, to issue credentials to teachers.

This bill would require the Superintendent, by November 1, 2006, and in consultation with interested parties appointed by the Superintendent, to adopt a mechanism for creating and maintaining a unique teacher identifier for teachers in public schools, in order to enable the Superintendent to assess the effectiveness of policies, programs, and expenditures, to analyze the pathways to teaching, and to evaluate teacher mobility and retention patterns.

~~Existing law establishes the Standardized Testing and Reporting (STAR) Program under which each school district, charter school, and county office of education is required to administer to each of its pupils in grades 2 to 11, inclusive, a designated achievement test and a standards-based achievement test. Existing law requires the Superintendent of Public Instruction to apportion funds appropriated to enable school districts to use the English language development test to identify limited-English-proficient pupils, to determine their level of English language proficiency, and to assess their progress in~~

~~acquiring the skills of listening, reading, speaking, and writing English. Existing law requires, commencing with the 2003-04 school year and each school year thereafter, each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.~~

~~Existing law also requires the State Department of Education to contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the STAR and English language development tests and the high school exit examination, known as the California longitudinal pupil achievement data system.~~

~~Existing law requires that the California longitudinal pupil achievement data system be implemented using federal funds pursuant to the federal No Child Left Behind Act of 2001, appropriated pursuant to a specified item of the Budget Act of 2002, and provides that the release of these funds is contingent upon approval of an expenditure plan by the Department of Finance.~~

~~This bill would repeal the requirement that the release of the funds is contingent upon the approval of an expenditure plan of the Department of Finance.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 60900 of the Education Code is~~
- 2 ~~amended to read:~~
- 3 ~~SECTION 1. The Legislature finds and declares all of the~~
- 4 ~~following:~~
- 5 ~~(a) There is a compelling need to establish a comprehensive~~
- 6 ~~information system regarding teachers so that policymakers can~~
- 7 ~~make informed decisions about the manner in which we recruit,~~
- 8 ~~retain, and compensate teachers.~~
- 9 ~~(b) The need for this system has been amply documented by~~
- 10 ~~several reputable organizations, including the Center for the~~
- 11 ~~Future of Teaching and Learning, the Legislative Analyst's~~
- 12 ~~office, and the State Higher Education Executive Officers.~~
- 13 ~~(c) California's fragmented information center is antiquated.~~
- 14 ~~The education data currently collected is neither centrally~~

1 *located nor able to be linked without a common identifier. As a*
2 *result, policymakers are inadequately informed.*

3 *(d) According to the State Auditor, the Commission on*
4 *Teacher Credentialing should better evaluate the effectiveness of*
5 *the programs it oversees and better measure the performance of*
6 *the teacher credentialing process. The State of California*
7 *currently lacks the ability to assess the effectiveness of policies,*
8 *programs, and expenditures, to analyze the pathways to teaching,*
9 *or even to evaluate the teacher mobility and retention patterns.*

10 *SEC. 2. Section 42239.5 is added to the Education Code, to*
11 *read:*

12 *42239.5. (a) By November 1, 2006, the Superintendent shall*
13 *adopt a mechanism for creating and maintaining a unique*
14 *teacher identifier for teachers in public schools, in order to*
15 *enable to Superintendent to assess the effectiveness of policies,*
16 *programs, and expenditures, to analyze the pathways to teaching,*
17 *and to evaluate teacher mobility and retention patterns.*

18 *(b) During the process of adoption, the Superintendent shall*
19 *convene and consult with an advisory group comprised of*
20 *interested parties appointed by the Superintendent.*

21 *(c) In developing the mechanism described in subdivision (a),*
22 *the Superintendent shall be guided by the following:*

23 *(1) Minimizing impacts on local education agencies.*

24 *(2) Maximizing linkage with existing information systems.*

25 *(3) Utilizing existing systems and reporting formats, if*
26 *practical.*

27 *(4) Maximizing opportunities for longitudinal analysis.*

28 *(5) Preserving teacher and student confidentiality.*

29 *(6) Ensuring all data derived from the information system is*
30 *used exclusively for evaluating education policies, programs, and*
31 *expenditures.*

32 *(7) Guaranteeing that no data derived from the information*
33 *systems is used to reward or sanction individual teachers for*
34 *performance.*

35 ~~60900. (a) The department shall contract for the development~~
36 ~~of proposals that will provide for the retention and analysis of~~
37 ~~longitudinal pupil achievement data on the tests administered~~
38 ~~pursuant to Chapter 5 (commencing with Section 60600),~~
39 ~~Chapter 7 (commencing with Section 60810), and Chapter 9~~
40 ~~(commencing with Section 60850). The longitudinal data shall be~~

1 known as the California longitudinal pupil achievement data
2 system.

3 (b) The proposals developed pursuant to subdivision (a) shall
4 evaluate and determine whether it would be most effective, from
5 both a fiscal and a technological perspective, for the state to own
6 the California longitudinal pupil achievement data system. The
7 proposals shall additionally evaluate and determine the most
8 effective means of housing the California longitudinal pupil
9 achievement data system.

10 (c) The California longitudinal pupil achievement data system
11 shall be developed and implemented in accordance with all state
12 rules and regulations governing information technology projects.

13 (d) The system or systems developed pursuant to this section
14 shall be used to accomplish all of the following goals:

15 (1) To provide school districts and the department access to
16 data necessary to comply with federal reporting requirements
17 delineated in the No Child Left Behind Act of 2001 (20 U.S.C.
18 Sec. 6301 et seq.).

19 (2) To provide a better means of evaluating educational
20 progress and investments over time.

21 (3) To provide local educational agencies information that can
22 be used to improve pupil achievement.

23 (4) To provide an efficient, flexible, and secure means of
24 maintaining longitudinal statewide pupil level data.

25 (e) In order to comply with federal law as delineated in the No
26 Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), the
27 local educational agency shall retain individual pupil records for
28 each test taker, including all of the following:

29 (1) All demographic data collected from the STAR test, high
30 school exit examination, and English language development test.

31 (2) Pupil achievement data from assessments administered
32 pursuant to the STAR, high school exit examination, and English
33 language development testing programs. To the extent feasible,
34 data should include subscore data within each content area.

35 (3) A unique pupil identification number to be identical to the
36 pupil identifier developed pursuant to the California School
37 Information Services, which shall be retained by each local
38 educational agency and used to ensure the accuracy of
39 information on the header sheets of the STAR tests, high school
40 exit examination, and the English language development test.

1 ~~(4) All data necessary to compile reports required by the~~
2 ~~federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301~~
3 ~~et seq.), including, but not limited to, dropout and graduation~~
4 ~~rates.~~

5 ~~(5) Other data elements deemed necessary by the~~
6 ~~Superintendent, with approval of the State Board of Education, to~~
7 ~~comply with the federal reporting requirements delineated in the~~
8 ~~No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.),~~
9 ~~after review and comment by the advisory board convened~~
10 ~~pursuant to subdivision (h).~~

11 ~~(f) The California longitudinal pupil achievement data system~~
12 ~~or systems shall have all of the following characteristics:~~

13 ~~(1) The ability to sort by demographic element collected from~~
14 ~~the STAR tests, high school exit examination, and English~~
15 ~~language development test.~~

16 ~~(2) The capability to be expanded to include pupil~~
17 ~~achievement data from multiple years.~~

18 ~~(3) The capability to monitor pupil achievement on the STAR~~
19 ~~tests, high school exit examination, and English language~~
20 ~~development test from year to year and school to school.~~

21 ~~(4) The capacity to provide data to the state and local~~
22 ~~educational agencies upon their request.~~

23 ~~(g) Data elements and codes included in the system shall~~
24 ~~comply with Sections 49061 to 49079, inclusive, with Sections~~
25 ~~49602 and 56347, with Sections 430 to 438, inclusive, of Title 5~~
26 ~~of the California Code of Regulations, with the Information~~
27 ~~Practices Act of 1977 (Chapter 1 (commencing with Section~~
28 ~~1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and~~
29 ~~with the Family Education Rights and Privacy Act statute (20~~
30 ~~U.S.C. Sees. 1232g and 1232h) and related federal regulations.~~

31 ~~(h) The department shall convene an advisory board consisting~~
32 ~~of representatives from the State Board of Education, the~~
33 ~~Secretary for Education, the Department of Finance, the State~~
34 ~~Privacy Ombudsman, the Legislative Analyst's Office,~~
35 ~~representatives of parent groups, school districts, and local~~
36 ~~educational agencies, and education researchers to establish~~
37 ~~privacy and access protocols, provide general guidance, and~~
38 ~~make recommendations relative to data elements. The~~
39 ~~department is encouraged to seek representation broadly~~
40 ~~reflective of the general public of California.~~

~~(i) Subject to funding being provided in the annual Budget Act, the department shall contract with a consultant for independent project oversight. The Director of Finance shall review the request for proposals for the contract. The consultant hired to conduct the independent project oversight shall twice annually submit a written report to the Superintendent, the State Board of Education, the advisory board, the Director of Finance, the Legislative Analyst, and the appropriate policy and fiscal committees of the Legislature. The report shall include an evaluation of the extent to which the California longitudinal pupil achievement data system is meeting the goals described in subdivision (b) and recommendations to improve the data system in ensuring the privacy of individual pupil information and providing the data needed by the state and school districts.~~

~~(j) This section shall be implemented using federal funds received pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for purposes of this section in Item 6110-113-0890 of Section 2.00 of the Budget Act of 2002 (Chapter 379 of the Statutes of 2002).~~

~~(k) For purposes of this chapter, a local educational agency shall include a county office of education, a school district, or charter school.~~